

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

DATE:

AUG 9 1993

SUBJECT:

Referral for Delta Engineering Company

FROM:

George Meyer, Chief

Hazardous Waste Compliance Branch (2AWM-HWC)

TO:

Dit Fai Cheung, Assistant Branch Chief

Hazardous and Solid Waste Programs

On June 22, 1993, Aaron Frantz of CDM Federal Programs Corporation, under contract to EPA, conducted a RCRA Compliance Evaluation Inspection of Delta Engineering Company, Inc. of Newark, New Jersey. Delta is a contractor that services air conditioning units at offices, manufacturing buildings, warehouses, etc. The service work is performed on location where the units are installed. The units are not brought to Delta for repair. The facility is used to house equipment, supplies, and the company's administrative offices.

During the inspection Mr. Franz was told that Delta maintains an underground storage tank (UST) that holds gasoline used by Delta service trucks. A majority of the gasoline used by the trucks is purchased at service stations. The tank has a capacity of 750 gallons and is metered to monitor the amount of gasoline removed. Mr. Edward Parlin, the president of the company, stated that he does not believe that the UST is registered with the State of New Jersey. This is being referred to your office for follow-up.

Attached is a copy of the multi-media checklist and the inspection narrative. Please contact Celia Orgel, of my staff, at (212) 264-9590, if you have any questions.

Attachment

DRAFT

*Following items
per UST
Registration requirements*

**COMPLIANCE EVALUATION INSPECTION (CEI)
DELTA ENGINEERING COMPANY, INC.
NEWARK, NEW JERSEY
WORK ASSIGNMENT R02035**

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1.0 INTRODUCTION	1
2.0 SITE BACKGROUND	1
2.1 Facility Description and Operation	1
2.2 Hazardous Waste Generation	1
3.0 ONSITE OBSERVATIONS	2
3.1 Identification of Hazardous Waste	2
4.0 CONCLUSIONS	2

ATTACHMENTS

New Jersey Generator Inspection Report
New Jersey Hazardous Waste Inspection Report

1.0 INTRODUCTION

In accordance with RCRA policy, hazardous waste transporter, generator, or treatment/storage/disposal (TSD) facilities are subject to Compliance Evaluation Inspections (CEI) which address facility environmental concerns. The inspections are conducted to evaluate compliance with all applicable standards promulgated under 40 CFR Parts 262 through 268.

Under TES V Work Assignment R02035, CDM Federal Programs Corporation (CDM Federal) was contracted to conduct a CEI at the Delta Engineering Company, Inc. (Delta) facility in Newark, New Jersey. Aaron Frantz of CDM Federal visited Delta on June 22, 1993 to conduct the CEI. The information within this report was obtained from facility personnel and onsite records during the CEI, except where referenced otherwise.

The CEI was conducted using (as appropriate) the New Jersey Generator Inspection Report and the New Jersey Hazardous Waste Inspection Report. These documents were used as a basis for the inspection. All pertinent information is recorded in the inspection narrative. When necessary, relevant checklists were completed to provide additional detail when specific concerns were encountered during the inspection.

2.0 SITE BACKGROUND

2.1 FACILITY DESCRIPTION AND OPERATIONS

The Delta facility is located at 556 Ferry Street in Newark, New Jersey. Delta is a contractor that services air conditioning units at offices, manufacturing buildings, warehouses, and etc. The service work is performed on location where the units are installed. The units are not brought to Delta for repair. The facility is used to house equipment, supplies, and the company's administrative offices.

The inspection consisted of meeting the facility representative to obtain a description of the site operations, conducting a facility tour and reviewing facility documents. Facility representative Edward Parlin was present during the inspection.

2.2 HAZARDOUS WASTE GENERATION

On arrival at the facility, Mr. Parlin stated that Delta does not generate a hazardous waste. Additionally, based on the observations made during the inspection, Mr. Parlin's statement was verified and it appears that the facility does not generate a hazardous waste.

3.0 ON-SITE OBSERVATIONS

3.1 IDENTIFICATION OF HAZARDOUS WASTES

No hazardous waste was identified at the facility.

4.0 CONCLUSIONS

It appears the Delta facility does not generate a hazardous waste. No hazardous wastes or areas of concern were identified during the inspection. Also, no areas of contamination or possible contamination were identified that would be a threat to human health or the environment.

Delta maintains an underground storage tank (UST) that holds gasoline. A majority of the gasoline used in the Delta service trucks is purchased by the servicemen at gasoline stations, but the gasoline tank is also maintained for convenience. The tank has a capacity of 750 gallons and is metered to monitor the amount of gasoline removed. Mr. Parlin stated that he does not believe that the UST is registered with the State of New Jersey.

It is recommended that the U.S. EPA and/or the State of New Jersey contact Delta to confirm that the UST is not registered and determine if a registration certificate should be completed.

INSPECTOR'S MULTI-MEDIA CHECKLIST

Facility Name: Delta Engineering Company, Inc.
Facility Address: 556 Ferry Street
Newark NJ 07105

Facility ID No.: none non-generator
Inspector's Name: Harold Frank - CDM Federal Programs Corp.
Inspector's Phone: 215-293-0450 Division/Branch: EPA Contractor
Date of Inspection: June 22, 1993

ATTACHMENT A - FOLLOW-UP QUESTIONS**RCRA**

If the facility has a RCRA permit or "interim status" as a treatment, storage or disposal facility (TSDF), do not complete this form but enter the facility's EPA ID number here _____.

Ask:

1. A. Has the facility determined that it generates hazardous waste? _____ YES _____ NO /
 If NO, skip Questions 2 to 8 and go to Question 9. If YES continue:
 B. If the facility generates or transports hazardous waste, what is its EPA ID Number? _____
 [If the facility cannot produce an ID Number, *REFER*.]
2. A. Are there containers or tanks which hold hazardous waste? _____ YES _____ NO
 If NO, go to Question # 3. If YES, continue:
 B. Are the containers and/or tanks clearly marked with the word "Hazardous Waste," and are they marked with the accumulation start date? _____ YES _____ NO
 C. Do hazardous waste storage tanks have secondary containment systems (i.e., berm, vault, double wall tank)? _____ YES _____ NO
 D. Does the facility store hazardous waste in containers or tanks for longer than 90 days? _____ YES* _____ NO
3. Does the facility store, treat or dispose of hazardous waste in lagoons, pits, piles or landfills? _____ YES* _____ NO
4. Does the facility treat hazardous waste by incineration, precipitation, neutralization or other means to change the physical or chemical nature of the waste? _____ YES* _____ NO
5. Does the facility accept hazardous waste for treatment, storage or disposal from off-site locations (including off-site facilities owned by the same company)? _____ YES* _____ NO
6. Does the facility maintain copies of hazardous waste manifests on-site? _____ YES _____ NO

UNDERGROUND STORAGE TANKS (UST)

Ask:

1. Does the facility have regulated USTs? *gasoline for service trucks* X YES NO
- [A regulated UST has more than 10% of tank volume, including piping, located underground; and contains petroleum products or hazardous substances (as defined under CERCLA). Note: USTs containing fuel oil for on-site heating are exempt from UST requirements.]

If YES, ask:

2. Are the USTs registered with the State? *Mr. Parlin did not know. Could not produce registration certificate* YES NO*
3. What kind of petroleum product or hazardous substance does UST contain? *~750gal gasoline for service truck*
4. Is there any evidence of UST leakage/spillage? YES* ✓ NO
5. When was the UST installed? *when company came here tank was already installed.*
6. All USTs must have leak detection according to the following schedule:

<u>Installation Date</u>	<u>Leak Detection By December of--</u>
Before 1965 or unknown	1989
1965 - 1969	1990
1970 - 1974	1991
1975 - 1979	1992
1980 - Dec. 1988	1993

All USTs installed after December 1988 must currently be equipped with leak detection.

Leak detection systems include monitoring wells (water or vapor), automatic tank gauging system, interstitial monitoring, manual tank gauging or inventory control plus tank tightness testing.

7. Is some form of leak detection in use for every UST required (based on above schedule) to have it? ✓ YES NO*
8. Are required records available on-site (e.g., documenting registration and leak detection)? ✓ YES NO*

REFER to program office if you check an answer marked with *.

- IF YES:**

★ ★ ★ ★ ★

RADIATION

Ask:

1. Are any radioactive materials used or stored at this facility? YES ☒ NO
2. If YES, does the facility have a state or federal radiation license? YES NO

REFER to program office if you check an answer marked with *.

NPDES and UIC, Continued

7. Observe/Ask:

a. How are waste fluids disposed of? NPb. Does the facility have floor or storm drains? ☒ YES ☐ NO

If YES:

Is there fluid in the drains? Is there evidence (staining, etc.) of fluid entering drains? Are storm drains situated s that they could receive spills from truck loading accidents, etc?

no fluid, no staining, no receipt of spills.

c. Does the facility operator indicate, or is there any evidenc that any wastewater, or wastes/spills go into drains?

☐ YES* ☒ NO

PUBLIC WATER SUPPLY

1. Observe/Ask: Does the facility have its own water supply (i.e., well)? ☐ YES ☒ NO

2. If YES: Does the facility provide potable water for 25 or more persons? ☐ YES ☐ NO

3. If YES: Is the facility sampling and analyzing for contaminants in its water supply and reporting the results to the state? ☐ YES ☐ NO

REFER to program office if you check an answer marked with *.

EPCRA, ContinuedTOXIC RELEASE INVENTORY (TRI)

Ask:

1. Does the facility have 10 or more full-time employees? ☒ YES ☐ NO
2. Is the facility classified under SIC codes 20 through 39? ☐ YES ☒ NO

If the response to either 1. or 2. is "NO," no further questions are required.

3. If both 1. and 2. are YES:

Did the facility use more than 10,000 lbs. of a chemical during a previous calendar year (starting with 1987). ☐ YES ☐ NO

4. If YES:

Did the facility file a Section 313 Toxic Chemical Release Inventory Form R for the chemical? ☐ YES ☐ NO

For more EPCRA information, call 1-800-535-0202; or the Region II program offices for EPCRA-Emergency Planning and Community Right To Know at 908-321-6194 or for EPCRA-Toxic Release Inventory at 908-906-6890.

REFER to program office if you check an answer marked with *.

TSCA, Continued

6. ASK: Does the facility manufacture or import into the United States "new commercial chemicals" [i.e., chemicals which were not previously manufactured in or imported into the United States]? ☐ YES* ☒ NO

[Note: Specific information on such chemicals is protected by TSCA as Confidential Business Information, and should not be obtained.]

For further TSCA information, call the TSCA Assistance Office in Washington at 202-554-1404 or the Region II TSCA program office at 908-321-6759.

* * * * *

SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC)

Ask:

1. A. Does the facility store oil? ☐ YES ☒ NO
 [Note that oil is not limited to petroleum products; for example, vegetable oil is covered.]
 B. If YES, does the storage capacity exceed --
 i. 660 gallons in any one above-ground tank? ☐ YES ☐ NO
 ii. 1320 gallons in all above-ground tanks? ☐ YES ☐ NO
 iii. 42,000 gallons in underground tank(s)? ☐ YES ☐ NO
2. If the answer to any part of #1. B. was YES, does the facility have a Spill Prevention, Control, and Countermeasure (SPCC) Plan? ☐ YES ☐ NO*
3. Did the facility have an oil spill within the last 12 months? ☐ YES* ☒ NO

REFER to program office if you check an answer marked with *.

Attachment B

REGION II MEDIA PROGRAM SECTION CHIEFS (and Alternate Contacts)

RCRA: Joel Golumbek (NJ, Caribbean), 264-2638
John Gorman (NY), 264-2621

AIR (Except Asbestos): Karl Mangels (NY), 264-6684
Jehuda Menczel (NJ, Caribbean), 264-6680

AIR/ASBESTOS: Robert Fitzpatrick, 264-6770

UST: Dit Fai Cheung, 264-6069

TSCA: Dan Kraft, 340-6669
Dave Greenlaw, 340-6817

EPCRA: For Toxic Release Inventory: Dan Kraft, 340-6669
Nora Lopez, 340-6890
For Emergency Planning & Community Right-to-Know:
John Higgins, 340-6194

SPCC: Doug Kodama, 340-6905

Federal Facilities: John Fillipelli, 264-6723

NPDES and Pretreatment: John Kushwara, 264-9878

UIC: Frank Brock, 264-1547

Public Water Supply: Robert Williams, 2164-3409

Wetlands: Daniel Montella, 264-5170

Removal Actions: Richard Salkie, 340-6658
Bruce Sprague, 340-6656
John Witkowski, 340-6991

Radiation: Paul Giardina, 264-4110
Mindy Pensak, 264-4418
Florie Caporuscio, 264-0503

Section Chiefs should contact their appropriate counterpart(s) on the above list concerning potential violations.

**GENERAL INSTRUCTION
FOR WASTE MINIMIZATION CHECKLIST**

I. Legislation and Authority

A. The EPA is given the authority by Congress through the Hazardous and Solid Waste Amendments of 1984 (HSWA) to protect the environment by "minimizing the generation of hazardous waste and the land disposal of hazardous waste by encouraging process substitution, material recovery, properly conducted recycling and reuse, and treatment;" (HSWA, sec.1003(a) (6)). Through this and other legislative actions, Congress has made clear it's intention that the reduction of hazardous waste is far more desirable than the safe disposal of hazardous waste.

B. HSWA sets forth two basic requirements for generators and treatment, storage and disposal facilities (TSDFs). They are:

1.that hazardous waste generators submit waste minimization reports as part of the biennial reports (3002 (a) (6),

2.that generators certify on the manifest that they have a waste reduction program in place (3005 (h))

II. Pre-inspection procedures:

Review any company documents regarding waste minimization activities conducted by the handlers to be inspected. (PAB files/ permit files if TSD). This should include records of the annual reports (AR) submitted to the states, or the biennial reports submitted to EPA. The AR/BER contain a description of the efforts taken during the year to reduce the toxicity and volume of waste generated, as well as the actual reductions achieved.

Waste Minimization Checklist

GENERATOR CHECKLIST

=====

MANIFEST

GENERAL 262.20

YES NO N/A

Does the generator, offer for transportation, hazardous waste for off-site treatment/disposal?

— — ☒

If yes, proceed to next question. If no, proceed to 264.75/265.75.

262.23

Does the generator sign the manifest certification which states;

— — ☒

" If I am a large quantity generator, I have a program in place to reduce the volume and toxicity of the waste generated to the degree I have determined to be economically practical and that I have selected the practical method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the enviroment; OR, if Iam a small quantity generator, I have made a good effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford."

Does the generator have a written Waste Minimization Plan?

— — ☒

If no, ask the generator to describe his plan orally.

COMMENTS:

(Explain in this space the areas that visually show evidence that a program is in place and is being implemented)

TSDF CHECKLIST

The inspector should review a copy of the AR/BER prior to the inspection, and should try to verify the information in the report during his inspection. The following question should be addressed during the inspection.

Does the AR/BER include the efforts undertaken during the year to reduce the volume of toxicity of the waste generated?	YES	NO	N/A
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Does the AR/BER include a description of the changes in volume and toxicity of the wastes actually achieved during the year in comparison to previous years?	---	---	---
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Do these efforts match the information contained in the generator's written or verbally described waste minimization program.

Is the AR/BER certification signed by the generator or authorized representatives?	---	---	---
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264.75/265/75 (h-j)

Does the generator treat, store and dispose hazardous waste on site?	---	---	---
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If yes to the above question, does the generator submit BERs or ARs to the appropriate regulatory agency?	---	---	---
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9/29/93

Delta Engineering Company

Edward Perlman
Manager